

USSN: 09/888,049 Atty. Dkt. No.: 9400-0013 Client Dkt. No.: PXE.013.US

PATENT

CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 4, 2004.

114/04 Date

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Examiner: David Lambertson

FRANCIS et al.

Group Art Unit: 1636

Serial No.: 09/888,049

Confirmation No.: 6970

Filing Date: June 21, 2001

Customer No.: 20855

Title: COMPOSITIONS AND METHODS FOR USE

THEREOF IN MODIFYING THE GENOMES

OF MICROORGANISMS

NOTICE OF APPEAL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313

Sir:

The final rejection dated May 18, 2004 is hereby appealed to the Board of

Appeals.

X Attached is a check to cover the Appeal Fee of

__ \$170

<u>X</u> \$340

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USSN: 09/888,049

Atty. Dkt. No.: 9400-0013

Client Dkt. No.: PXE.013.US

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: November 4, 2004

Dahna S. Pasternak Registration No. 41,411

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